

**28. Approve Amendment Three to RFP-4128-01/BJC – Professional Appraisal Services for Lake Drive Road Improvement Project, to Clayton, Roper & Marshall, Inc., Altamonte Springs (\$225,000.00).**

On 5/28/02, the Board competitively awarded RFP-4128-01/BJC for appraisal services on the Lake Drive Road improvement project. Lake Drive is an existing two-lane paved rural roadway with an open swale drainage system located within both Seminole County and the City of Casselberry. The entire length of the new corridor from Seminola Boulevard to Tuskawilla Road is approximately 2.5 miles. The westward portion of Lake Drive between Eaton Way and Seminola Boulevard is located within the City of Casselberry. The eastward portion of Lake Drive is located within Seminole County.

There were sixty-six (66) parcels to be acquired for the construction of the necessary roadway improvements for this project. Amendment One only changed the contract language and did not change the dollar amount or period of performance. Amendment Two provided for new and/or additional parcels identified in Phase I for the Lake Drive Road improvements. This Amendment is necessary to complete appraisal and engineering services for the remaining project parcels. Services are to include 1) original appraisals and 2) appraisal updates when required for Order of Taking Hearings including trail preparation and expert witness testimony. The revised Not-to-Exceed amount for this project is \$541,506.00.

This is a budgeted project and funds are available in account numbers 077515-56061000 (Engineering, Lands) and 077525-56061000 (S/Central Collector Projects, Lands) CIP #DE55021Z. County Attorney's Office and Public Works/Engineering and Fiscal Services/Purchasing and Contracts Division recommend that the Board approve the amendment and authorize the County Manager to execute Amendment Three as prepared by the County Attorney's Office.

**THIRD AMENDMENT TO APPRAISAL SERVICES AGREEMENT (RFP-4128-02/BJC)**  
**LAKE DRIVE ROAD IMPROVEMENT PROJECT**

**THIS THIRD AMENDMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and is to that certain Agreement made and entered into on the 13<sup>th</sup> day of June, 2002, as amended on July 15, 2002, and on August 14, 2003, between **CLAYTON, ROPER & MARSHALL, INC.**, whose address is 216 North Westmonte Drive, Altamonte Springs, Florida 32714, hereinafter referred to as "APPRAISER," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

**W I T N E S S E T H:**

**WHEREAS**, the APPRAISER and COUNTY entered into the above-referenced Agreement on June 13, 2002, as amended on July 15, 2002, and on August 14, 2003 for appraisal services for the Lake Drive Road Improvement Project; and

**WHEREAS**, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

**WHEREAS**, Section 19 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

**NOW, THEREFORE**, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. The Scope of Services attached to the Agreement is increased to provide for the additional services provided in the attached Exhibit "A," which is incorporated by this reference.

2. The COUNTY agrees to compensate APPRAISER the fixed fee sum of TWO HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$225,000.00) for the increased Scope of Services. The total fixed fee compensation

through this Third Amendment shall not exceed the sum of FIVE HUNDRED FORTY-ONE THOUSAND FIVE HUNDRED SIX AND NO/100 DOLLARS (\$541,506.00). In no event shall APPRAISER be paid more than the fixed fee sum stated above.

3. The County Manager is hereby authorized to sign this Amendment on behalf of the COUNTY.

4. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

**IN WITNESS WHEREOF,** the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST:

CLAYTON, ROPER & MARSHALL, INC.

\_\_\_\_\_  
STEVEN L. MARSHALL, MAI SRA  
Secretary

By: \_\_\_\_\_  
PAUL A. ROPER, MAI, SRA  
President

(CORPORATE SEAL)

Date: \_\_\_\_\_

WITNESSES:

SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
J. KEVIN GRACE, County Manager

Date: \_\_\_\_\_

For the use and reliance  
of Seminole County only.

Approved as to form and  
legal sufficiency.

As authorized for execution  
by the Board of County Commissioners  
at their \_\_\_\_\_, 20\_\_\_\_  
regular meeting.

\_\_\_\_\_  
County Attorney  
AC/lpk  
11/18/03  
3am-rfp-4128

Attachment:  
Exhibit "A" - Additional Scope of Services

## **SCOPE OF SERVICES**

**Complete appraisal and engineering services for the remaining project parcels associated with the Lake Drive Major Road Project: PHASE I and PHASE II, (per the attached proposal). Scope of services shall include: (1) Original appraisals, and (2) Appraisal updates, when required for Order of Take Hearings, including trial preparation and expert witness testimony.**

**This appraisal proposal is for the following parcel numbers(s):**

**104, 105/705, 106/706, 107/707, 108/708, 109, 110, 111, 112, 115/715, 116/716A/716B, 117/717, 118/718, 121/721, 122/722, 124, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 139/739, 140, 142, 144, 146, 147, 149, 151/751, 152, 162/862, 170/770, 171/771, 173, 242, 1737/1837, 1739, 1740, and 1838.**

| PARCEL NO.    | ORIG CONTRACT AMT | ADDED TO ORIG CONT | NEW TCE'S | NEW FUNDS | NEW CONT AMOUNT | ORIG APPL FEE | NEW APPL FEES |
|---------------|-------------------|--------------------|-----------|-----------|-----------------|---------------|---------------|
| 104           | \$ 12,878.00      |                    |           |           | \$ 9,015        | \$ 4,800.00   | \$ 3,360.00   |
| 105/705       | \$ 2,911.50       |                    | \$ 1,500  |           | \$ 3,538        | \$ 1,250.00   | \$ 875.00     |
| 106/706       | \$ 2,911.50       |                    | \$ 1,500  |           | \$ 3,538        | \$ 1,250.00   | \$ 875.00     |
| 107/707       | \$ 5,333.00       |                    | \$ 1,500  |           | \$ 5,234        | \$ 2,500.00   | \$ 1,750.00   |
| 108/708       | \$ 3,600.00       |                    | \$ 1,500  |           | \$ 4,020        | \$ 2,500.00   | \$ 1,750.00   |
| 109           | \$ 3,250.00       |                    |           |           | \$ 2,275        | \$ 2,500.00   | \$ 1,750.00   |
| 110           | \$ 6,073.00       |                    |           |           | \$ 4,251        | \$ 2,750.00   | \$ 1,925.00   |
| 111           | \$ 3,000.00       |                    |           |           | \$ 2,100        | \$ 2,250.00   | \$ 1,575.00   |
| 112           | \$ 3,950.00       | \$ 2,000.00        |           |           | \$ 4,165        | \$ 5,200.00   | \$ 3,640.00   |
| 115/715       | \$ 3,600.00       | \$ 3,600.00        | \$ 1,500  |           | \$ 6,540        | \$ 5,000.00   | \$ 3,500.00   |
| 116/716A/716B | \$ 6,928.00       | \$ (1,500.00)      | \$ 2,200  |           | \$ 6,000        | \$ 2,700.00   | \$ 1,890.00   |
| 117/717       | \$ 3,500.00       |                    | \$ 1,500  |           | \$ 3,950        | \$ 2,500.00   | \$ 1,750.00   |
| 118/718       | \$ 5,833.00       |                    | \$ 1,500  |           | \$ 5,583        | \$ 2,700.00   | \$ 1,890.00   |
| 121/721       | \$ 7,540.00       |                    | \$ 1,500  |           | \$ 6,778        | \$ 3,200.00   | \$ 2,240.00   |
| 122/722       | \$ 6,408.00       |                    | \$ 1,500  |           | \$ 5,986        | \$ 2,700.00   | \$ 1,890.00   |
| 124           | \$ 8,125.00       |                    |           |           | \$ 5,688        | \$ 4,200.00   | \$ 2,940.00   |
| 128           | \$ 5,950.00       |                    |           |           | \$ 4,165        | \$ 2,700.00   | \$ 1,890.00   |
| 129           | \$ 4,928.00       |                    |           |           | \$ 3,450        | \$ 2,400.00   | \$ 1,680.00   |
| 130           | \$ 5,583.00       |                    |           |           | \$ 3,908        | \$ 2,450.00   | \$ 1,715.00   |
| 131           | \$ 3,200.00       |                    |           |           | \$ 2,240        | \$ 2,450.00   | \$ 1,715.00   |
| 132           | \$ 5,583.00       |                    |           |           | \$ 3,908        | \$ 2,450.00   | \$ 1,715.00   |
| 133           | \$ 9,625.00       |                    |           |           | \$ 6,738        | \$ 3,200.00   | \$ 2,240.00   |
| 134           | \$ 3,350.00       |                    |           |           | \$ 2,345        | \$ 2,400.00   | \$ 1,680.00   |
| 135           | \$ 3,400.00       |                    |           |           | \$ 2,380        | \$ 2,450.00   | \$ 1,715.00   |
| 136           | \$ 5,700.00       |                    |           |           | \$ 3,990        | \$ 2,450.00   | \$ 1,715.00   |
| 137           | \$ 5,700.00       |                    |           |           | \$ 4,750        |               | \$ 2,000.00   |
| 139/739       | \$ 5,938.00       | \$ 2,450.00        |           |           | \$ 9,100        |               | \$ 3,900.00   |
| 140           | \$ 3,850.00       |                    |           |           | \$ 4,200        |               | \$ 2,000.00   |
| 142           | \$ 5,638.00       |                    |           |           | \$ 4,240        |               | \$ 2,000.00   |
| 144           | \$ 5,638.00       |                    |           |           | \$ 4,240        |               | \$ 2,000.00   |
| 146           | \$ 3,700.00       |                    |           |           | \$ 3,500        |               | \$ 2,000.00   |
| 147           | \$ 3,200.00       |                    |           |           | \$ 3,500        |               | \$ 2,000.00   |
| 149           | \$ 2,950.00       |                    |           |           | \$ 3,500        |               | \$ 2,000.00   |
| 151/751       | \$ 3,850.00       |                    |           |           | \$ 6,200        |               | \$ 2,000.00   |
| 152           | \$ 3,200.00       |                    |           |           | \$ 3,500        |               | \$ 2,000.00   |
| 162/862       | \$ 3,500.00       |                    |           |           | \$ 5,040        |               | \$ 2,000.00   |
| 170/770       | \$ 3,200.00       |                    |           |           | \$ 6,200        |               | \$ 2,000.00   |
| 171/771       | \$ 3,200.00       |                    |           |           | \$ 6,200        |               | \$ 2,000.00   |
| 173           | \$ 3,150.00       |                    |           |           | \$ 2,205        | \$ 2,400.00   | \$ 1,600.00   |
| 242           | \$ 2,950.00       |                    |           |           | \$ 2,065        | \$ 2,200.00   | \$ 1,500.00   |
| 1737/1837     |                   |                    | \$ 1,500  | \$ 3,400  | \$ 4,900        |               | \$ 2,600.00   |
| 1739          |                   |                    |           | \$ 3,400  | \$ 3,400        |               | \$ 2,600.00   |
| 1740          |                   |                    |           | \$ 4,200  | \$ 4,200        |               | \$ 2,700.00   |
| 1838          | \$ 3,250.00       |                    |           |           | \$ 2,275        | \$ 2,500.00   | \$ 1,700.00   |
|               | \$ 196,074.00     | \$ 6,550.00        | \$ 17,200 | \$ 11,000 | \$ 195,000      |               | \$ 90,600.00  |